

STATE OF MINNESOTA
COUNTY OF ANOKA

DISTRICT COURT
TENTH JUDICIAL DISTRICT
CASE TYPE: PERSONAL INJURY

Pamela Patnode,

Court File No. _____

Plaintiff,

vs.

SUMMONS

Menard, Inc., a Wisconsin Corporation licensed
to do Business and doing business in Minnesota,

Defendant.

THE STATE OF MINNESOTA TO THE ABOVE-NAMED DEFENDANT:

1. YOU ARE BEING SUED. The Plaintiff has started a lawsuit against you. The Plaintiff's Complaint against you is attached to this Summons. Do not throw these papers away. They are official papers that affect your rights. You must respond to this lawsuit even though it may not yet be filed with the Court and there may be no Court file number on this Summons.

2. YOU MUST REPLY WITHIN 20 DAYS TO PROTECT YOUR RIGHTS. You must give or mail to the person who signed this Summons a written response called an Answer within 20 days of the date on which you received this Summons. You must send a copy of your Answer to the person who signed this Summons located at Barna, Guzy & Steffen LTD., 400 Northtown Financial Plaza, 200 Coon Rapids Boulevard, Minneapolis, MN 55433.

3. YOU MUST RESPOND TO EACH CLAIM. The Answer is your written response to the Plaintiff's Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you must say so in your Answer.

4. YOU WILL LOSE YOUR CASE IF YOU DO NOT SEND A WRITTEN RESPONSE TO THE COMPLAINT TO THE PERSON WHO SIGNED THIS SUMMONS. If you do not Answer within 20 days, you will lose this case. You will not get to tell your side of the story, and the Court may decide against you and award the Plaintiff everything asked for in the Complaint. If you do not want to contest the claims stated in the Complaint, you do not need to respond. A Default Judgment can then be entered against you for the relief requested in the Complaint.

5. LEGAL ASSISTANCE. You may wish to get legal help from a lawyer. If you do not have a lawyer, the Court Administrator may have information about places where you can get legal assistance. Even if you cannot get legal help, you must still provide a written Answer to protect your rights or you may lose the case.

6. ALTERNATIVE DISPUTE RESOLUTION. The parties may agree to or be ordered to participate in an alternative dispute resolution process under Rule 114 of the Minnesota General Rules of Practice. You must still send your written response to the Complaint even if you expect to use alternative means of resolving this dispute.

BARNA, GUZY & STEFFEN, LTD.

Dated: June 17, 2021

By: //s// Adriel B. Villarreal
Adriel B. Villarreal, #0387089
Attorney for Plaintiff
400 Northtown Financial Plaza
200 Coon Rapids Boulevard
Minneapolis, MN 55433
Phone: (763) 780-8500

STATE OF MINNESOTA
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CASE TYPE: PERSONAL INJURY

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Plaintiff,

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COMPLAINT

Menard, Inc., a Wisconsin Corporation licensed
to do Business and doing business in Minnesota,

Defendant.

Plaintiff Pamela Patnode, for her claim for relief, states and alleges as follows:

I.

At all times material herein, Plaintiff Pamela Patnode has resided at 10984 Amen CT NE,
in the City of Blaine, County of Anoka, State of Minnesota.

II.

Defendant Menard Inc. operates a retail store "Menards" located at 5351 Central
Avenue NE, in the City of Fridley, County of Anoka, State of Minnesota. At all times material
herein, Defendant Menard Inc. was and is licensed to do business in the State of Minnesota, with
its registered office located at 2345 Rice Street, Suite 230, in the City of Roseville, County of
Ramsey, State of Minnesota.

III.

On October 28, 2019, Plaintiff Pamela Patnode was caused to trip and fall in one of the
aisles at Defendant's premises located at 5351 Central Ave. NE, in the City of Fridley, County of
Anoka. Defendant failed to remove a packaging band left in the aisle, which caused the trip and

fall incident; and due to Defendant's failure to both inspect and maintain the premises in a condition fit for the use intended by the public; and to warn customers of potential trip hazards; and as a result of other careless and negligent acts and omissions on the part of the Defendant.

IV.

That as a direct and proximate result of Defendant's careless and negligent acts and omissions, Plaintiff sustained multiple serious and permanent injuries and was caused to suffer and will in the future suffer mental and physical harm.

V.

That as a direct and proximate result of the careless and negligent acts and omissions on the part of the Defendant, Plaintiff has suffered injuries and will experience pain and suffering for the remainder of her life. Plaintiff has in the past and will in the future be required to spend sums of money for medical and hospital treatment and care.

CAUSATION AND DAMAGES

VI.

That the said incident and Plaintiff's injuries resulting there from were caused solely and exclusively by careless and negligent acts and omissions on the part of the above named Defendant for which Defendant is liable to Plaintiff.

VII.

As a direct and proximate cause of the careless and negligent acts and omissions on the part of the Defendant, Plaintiff has suffered permanent and painful injuries. Plaintiff has suffered pain and discomfort, and will experience such pain and discomfort for the remainder of her life.

VIII.

As a direct and proximate result of the careless and negligent acts and omissions of the above named Defendant, Plaintiff has incurred medical expenses for her care and treatment and will incur such medical expenses in the future.

IX.

As a direct and proximate result of the careless and negligent acts and omissions of the above named Defendant, Plaintiff has suffered past pain, discomfort, emotional distress and will suffer future pain, discomfort and emotional distress.

WHEREFORE, Plaintiff also prays for judgment against Defendant in an amount greater than Fifty Thousand and no/100 Dollars (\$50,000.00), together with pre-judgment interest, judgment interest, costs and disbursements herein, along with such other and further relief as the Court deems just and equitable.

BARNA, GUZY & STEFFEN, LTD.

Dated: June 17, 2021

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Attorney for Plaintiff
400 Northtown Financial Plaza
200 Coon Rapids Boulevard
Minneapolis, MN 55433
Phone: (763) 780-8500

ACKNOWLEDGMENT

Plaintiff brings this action in good faith, and acknowledges that sanctions may be imposed pursuant to Minn. Stat. §549.211 (2021). If the Court determines that the claims, defenses or other legal contentions contained herein are presented for improper purposes unwarranted by existing law, frivolously presented, without evidentiary support, not reasonably based upon knowledge, information and belief were made without reasonable inquiry under the circumstances.

BARNA, GUZY & STEFFEN, LTD.

Dated: June 17, 2021

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